

261—187.4(15) Contract amendments and other situations requiring board, due diligence committee (DDC) or director approval.

187.4(1) General rule. Generally, the final decision maker that approved the initial award shall approve any amendments or changes to that award.

187.4(2) Board delegation to the due diligence committee. The due diligence committee shall have the authority to act on behalf of the board and take final action on the requests described in 187.4(3). The committee may decide to take final action or to refer the matter to the full board for action.

187.4(3) Amendments and other items requiring board, due diligence committee or director approval. The table below identifies the situations that require action by the board, the due diligence committee or the director. It is not an all-inclusive list.

AMENDMENTS AND OTHER ITEMS REQUIRING BOARD, DDC OR DIRECTOR APPROVAL			
SUBJECT	DDC	BOARD	DIRECTOR
120-day contract-signing extensions - for all IVF (2005), IVF(FES), CEBA, HQJC (over 50 jobs and \$10M) awards originally approved by the board	Recommendation	Final decision	
120-day contract-signing extensions - for IVF(FES) or program fund awards originally approved by director, HQJC (under 50 jobs and \$10M)			Final decision
2-year CEBA disbursement obligation (Iowa Code § 15.317(4))	Recommendation	Final decision	
Contract time extensions - for all IVF (2005), IVF(FES), CEBA, HQJC (over 50 jobs and \$10M) awards originally approved by the board	Final decision		
Contract time extensions - for IVF(FES) or program fund awards originally approved by director, HQJC (under 50 jobs and \$10M)			Final decision
Other contract amendments - for all IVF (2005), IVF(FES), CEBA, HQJC (over 50 jobs and \$10M) awards originally approved by the board	Final decision		
Other contract amendments - for IVF(FES) or program fund awards originally approved by director, HQJC (under 50 jobs and \$10M)			Final decision
Discontinuance or suspension of collection efforts - for all IVF (2005), IVF(FES), CEBA, HQJC (over 50 jobs and \$10M) awards originally approved by the board	Final decision		
Discontinuance or suspension of collection efforts - for IVF(FES) or program fund awards originally approved by director, HQJC (under 50 jobs and \$10M)			Final decision
Negotiated settlements - for all IVF (2005), IVF(FES), CEBA, HQJC (over 50 jobs and \$10M) awards originally approved by the board	Final decision		
Negotiated settlements - for IVF(FES) or program fund awards originally approved by director, HQJC (under 50 jobs and \$10M)			Final decision
Rescission of awards - for all IVF (2005), IVF(FES), CEBA, HQJC (over 50 jobs and \$10M) awards originally approved by the board	Recommendation	Final decision	
Rescission of awards - for IVF(FES) or program fund awards originally approved by director, HQJC (under 50 jobs and \$10M)			Final decision

187.4(4) Amendments and other requests the department is authorized to implement. The department is authorized by the board to take action on nonsubstantive changes, including but not limited to the following:

- a. Recipient name, address and similar changes.

- b.* Collateral changes that are the same or better security than originally approved by the board or director (e.g., securing a letter of credit to replace a UCC blanket filing) or collateral changes that do not materially and substantially impact the department's security.
- c.* Line item budget changes that do not reduce overall total project costs.
- d.* Loan repayment amounts or due dates that do not extend the final due date of a loan.